

REMARKS

The Official Action mailed November 24, 2004, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to March 24, 2005. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statement filed on October 15, 2003.

Claims 1-18 were pending in the present application prior to the above amendment. Claims 5-18 have been canceled, claims 1-4 have been amended to better recite the features of the present invention, and new claims 19-38 have been added to recite additional protection to which the Applicants are entitled. Accordingly, claims 1-4 and 19-38 are now pending, of which claims 1, 3, 23, 27, 31 and 35 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The specification has been amended in order to correct minor typographical errors in the specification. Specifically, the term shift "resister" has been changed to shift "register" to correct a minor typographical matter.

The Official Action rejects claims 1-4 under the doctrine of obviousness-type double patenting over claims 1-9 and 11-19 of U.S. Patent No. 6,641,933 to Yamazaki in view of U.S. Patent No. 6,300,612 to Yu and U.S. Patent No. 6,661,454 to Hwang et al.

As stated in MPEP § 804, under the heading "Obviousness-Type," in order to form an obviousness-type double patenting rejection, a claim in the present application must define an invention that is merely an obvious variation of an invention claimed in the prior art patent, and the claimed subject matter must not be patentably distinct from the subject matter claimed. Also, the patent principally underlying the double patenting rejection is not considered prior art.

The Applicants respectfully traverse the obviousness-type double patenting rejection because the claims of the present application are patentably distinct from the claims of the '933 patent. Specifically, independent claim 1 of the present application recites a digital camera and the ionic impurity concentration of a thin film of a light-emitting element included in the digital camera. The claims of the '933 patent, either alone or in combination with Yu and Hwang, do not disclose or suggest at least these features of the currently pending claims. Also, the claims of the '933 patent, either alone or in combination with Yu and Hwang, do not teach or suggest a main body, a display portion, an image receiving portion, and an operation switch.

Therefore, the Applicants respectfully submit that the subject application is patentably distinct from the claims of the '933 patent, taken alone or in combination with Yu and Hwang. Reconsideration of the obviousness-type double patenting rejection is requested.

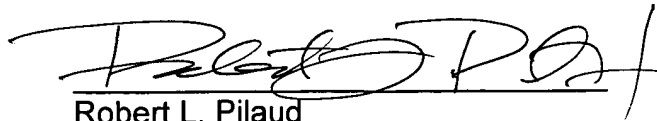
The Official Action rejects claims 1-4 as obvious based on the combination of Yu and U.S. Patent No. 6,617,051 to Higashi et al. In order to overcome this rejection, a verified English translation of priority application JP 11-336119 filed November 26, 1999, is filed concurrently herewith. Since Higashi has a filing date of August 25, 2000, which is later than the filing date of JP '119, the Applicants respectfully submit that JP '119 is not available as prior art, and the rejection under § 103 should be overcome. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are in order and respectfully requested.

Regarding the Examiner's requirement for information under 37 CFR § 1.105, the information required to be submitted is either already contained in the Information Disclosure Statement filed October 15, 2003, is unknown and/or is not readily available to the party or parties from which it was requested (see 37 CFR 1.105(a)(3)).

New claims 19-38 have been added to recite additional protection to which the Applicants are entitled. For the reasons stated above and already of record, the Applicants respectfully submit that new claims 19-38 are in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert L. Pilaud", written over a horizontal line.

Robert L. Pilaud
Reg. No. 53,470

Robinson Intellectual Property Law Office, P.C.
PMB 955
21010 Southbank Street
Potomac Falls, Virginia 20165
(571) 434-6789